**9-803.  Waiver of extradition.**

*[Section 31-4-22 NMSA 1978]*


STATE OF NEW MEXICO
COUNTY OF _____
_____ COURT


STATE OF NEW MEXICO,

v.                                                                              No. _____

_____, Defendant


## WAIVER OF EXTRADITION

I, _____, in open court do hereby freely and voluntarily state that I am the identical _____, against whom a criminal proceeding charging me with _____ has been initiated in the county of _____, State of _____, and I further hereby freely, voluntarily without threats or promises of reward agree to return to that county and state, without legal process.

I further acknowledge that I will be held without bond while awaiting the agent of the State of _____ to take me into custody.

I further acknowledge that I have been informed of my rights to legal counsel, to require the issuance and service of a warrant of extradition as provided in Section 31-4-22 NMSA 1978 and my right to contest said warrant of extradition through a writ of habeas corpus as provided in Section 31-4-10 NMSA 1978.

This waiver is not an admission of guilt.  I agree to return to the State of _____,

with any peace officer who may be sent to take me to that state for trial.

This statement and waiver (made in quadruplicate), done at _____ County,

New Mexico, this _____ day of _____, _____, in the presence of a judge of the

_____ Court of that county.


_____          _____
Attorney for Defendant                                          Defendant

_____
Assistant District Attorney


I hereby certify that the foregoing was executed in my presence and that I informed the

defendant of his rights to require the issuance and service of a warrant of extradition as provided by

the laws of New Mexico, and his right to contest said warrant of extradition through a writ of habeas

corpus.  I do hereby direct the officer having such person in custody to deliver forthwith such person

to the duly accredited agent of the demanding state, together with a copy of this waiver, and that the

original hereof shall forthwith be forwarded to the office of the governor of the State of New Mexico

for filing.


                                        _____
                                        Judge

Original - Governor
2nd & 3rd - Agent
4th - File

[Approved, effective July 1, 1982.]